

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5240 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

UPLETA MUNICIPALITY

Versus

STATE OF GUJARAT 3RD SPECIAL LAND ACQUISITION

Appearance:

MR ND NANAVATI, SR. COUNSEL WITH MR BM MANGUKIYA
for Petitioners
MR AD OZA, GOVERNMENT PLEADER for Respondent No.1,2 & 4
MR JAY SHAH FOR HL PATEL ADVOCATES for Respondent No. 3

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 04/07/2000

ORAL JUDGEMENT

Leave to amend. Rule. Mr. A.D. Oza waives
service of Rule on behalf of Respondent Nos. 1, 2 and 4.

Mr. Jay Shah for H.L. Patel Advocates waives service of Rule on behalf of Respondent No.3. Since arguments have already been heard, it is appropriate to dispose of the petition finally.

2. Shri N.D. Nanavati, learned senior advocate appearing for the petitioner raised a number of contentions. One of the contentions is that the impugned order is a non-speaking order and no reasons are given. Mr. A.D. Oza, learned Government Pleader conceded that the order is liable to be set aside on that ground. In the circumstances, it is not necessary to deal with and decide other contentions raised in the petition. The petition is, therefore, allowed. The impugned order is set aside with liberty to the Government to proceed according to law. Rule made absolute.

hki